



172

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/603,094  
Applicant : Don J. DIAMOND  
Filed : June 25, 2003  
TC/A.U. : 1645  
Examiner : To Be Assigned  
Docket No. : 1954-410  
Customer No. : 06449  
Confirmation No. : 7356

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT


Director of the United States Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Under the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98,  
Applicant submits herewith copies of publications that the Office  
may wish to consider in examination of the subject application.  
The publications are listed on the attached form PTO-1449.  
Applicants do not admit that the cited references are prior art  
to the present application.

Respectfully submitted,

By

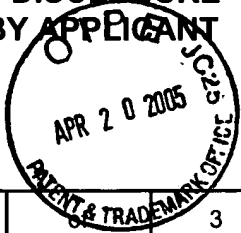
  
Martha Cassidy  
Attorney for Applicants  
Registration No. 44,066  
ROTHWELL, FIGG, ERNST & MANBECK, p.c.  
Suite 800, 1425 K Street, N.W.  
Washington, D.C. 20005  
Telephone: (202)783-6040

MC:twg

Enclosure(s):

Form PTO-1449 (w/References)



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> 			<i>Complete if Known</i>		
			Application Number	10/603,094	
			Filing Date	June 25, 2003	
			First Named Inventor	Don J. DIAMOND	
			Group Art Unit	1645	
Examiner Name	To Be Assigned				
Sheet	2	3	Attorney Docket Number	1954-410	

### NON PATENT LITERATURE DOCUMENTS

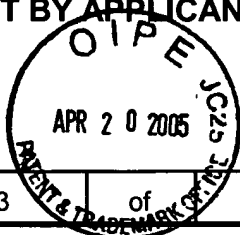
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	1E	AHLERS et al., "High-Affinity T Helper Epitope Induces Complementary Helper and APC Polarization, Increased CTL, and Protection Against Viral Infection," J. Clin. Invest., 108(11)1677-85, 2001.	
	1F	ALEXANDER et al., "A Decapeptide Polypeptide Primes for Multiple CD8+ INF- $\gamma$ and Th Lymphocyte Responses: Evaluation of Multiepitope Polypeptides as a Mode for Vaccine Delivery," J. Immunol., 168:6189-6198, 2002.	
	1G	CAFARO et al., "Vaccination with DNA Containing tat Coding Sequences and Unmethylated CpG Motifs Protects Cynomolgus Monkeys Upon Infection with Simian/Human Immunodeficiency Virus (SHIV89.6P)," Vaccine, 19:2862-2877, 2001.	
	1H	CHEE et al., "Analysis of the Protein-Coding Content of the Sequence of Human cytomegalovirus Strain AD169," Curr. Topics Microbiol. Immunol., 154:126-169, 1990.	
	1I	CHO et al., "Immunostimulatory DNA-based Vaccines Induce Cytotoxic Lymphocyte Activity by a T-Helper Cell-Independent Mechanism," Nat. Biotechnol., 18:509-514, 2000.	
	1J	CHO et al., "IFN- $\alpha\beta$ Promote Priming of Antigen-Specific CD8+ and CD4+ T Lymphocytes by Immunostimulatory DNA-Based Vaccines," J. Immunol., 168:4907-4913, 2002.	
	1K	ELIAS et al., "Strong Cytosine-Guanosine-Independent Immunostimulation in Humans and other Primates by Synthetic Oligodeoxynucleotides with PyNTTTTGT Motifs," J. Immunol., 171:3697-3704, 2003.	
	1L	GÜRSEL et al., "Differential and Competitive Activation of Human Immune Cells by Distinct Classes of CpG Oligodeoxynucleotide," J. Leukocyte. Biol., 71:813-820, 2002.	
	1M	HO et al., "An Immunomodulatory GpG Oligonucleotide for the Treatment of Autoimmunity via the Innate and Adaptive Immune Systems," J. Immunol., 171:4920-4926, 2003.	
	1N	KHATTAB et al., "Three T-Cell Epitopes Within the C-Terminal 265 Amino Acids of the Matrix Protein pp65 of Human Cytomegalovirus Recognized by Human Lymphocytes," J. Med. Virol., 52:68-76, 1997.	
	1O	KLINMAN et al., "CpG DNA: Recognition by and Activation of Monocytes," Microbes Infection 4:897-901, 2002.	
	1P	KRUG et al., "Identification of CpG Oligonucleotide Sequences with High Induction of IFN- $\alpha/\beta$ in Plasmacytoid Dendritic Cells," Eur. J. Immunol., 31:2154-2163, 2001.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code. <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached. AB indicates that only an English language abstract is attached.

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**



*Complete if Known*

Application Number	10/603,094
Filing Date	June 25, 2003
First Named Inventor	Don J. DIAMOND
Group Art Unit	1645
Examiner Name	To Be Assigned

Sheet 3 of 3

Attorney Docket Number 1954-410

## **NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	1Q	MESEDA et al., "Prime-Boost Immunization with DNA and Modified Vaccinia Virus Ankara Vectors Expressing Herpes Simplex Virus-2 Glycoprotein D Elicits Greater Specific Antibody and Cytokine Responses than DNA Vaccine Alone," J. Infect. Dis., 186:1065-73, 2002.	
	1R	NIJMAN et al., "Identification of Peptide Sequences That Potentially Trigger HLA-A2.1-Restricted Cytotoxic T Lymphocytes," Eur. J. Immunol., 23:1215-1219, 1993.	
	1S	OSEROFF et al., "Pools of Lipidated HTL-CTL Constructs Prime For Multiple HBV and HCV CTL Epitope Responses," Vaccine, 16(8):823-833, 1998.	
	1T	RUGER et al., "Primary Structure and Transcription of the Genes Coding for the Two Virion Phosphoproteins pp65 and pp71 of Human Cytomegalovirus," J. Virol., 61(2):446-453, 1987.	
	1U	SANO et al., "Oligodeoxynucleotides Without CpG Motifs Work as Adjuvant for the Induction of Th2 Differentiation in a Sequence-Independent Manner," J. Immunol., 170:2367-2373, 2003.	
	1V	SCHIRMBECK et al., "Antigenic Epitopes Fused to Cationic Peptide Bound to Oligonucleotides Facilitate Toll-Like Receptor 9-Dependent, but CD4+ T Cell Help-Independent, Priming of CD8+ T Cells," J. Immunol., 171:5198-5207, 2003.	
	1W	SHIRAI et al., "Helper-Cytotoxic T Lymphocyte (CTL) Determinant Linkage Required for Priming of Anti-HIV CD8+ CTL in Vivo with Peptide Vaccine Constructs," J. Immunol., 152:549-556, 1994.	
	1X	SOLACHE et al., "Identification of Three HLA-A*0201-Restricted Cytotoxic T Cell Epitopes in the Cytomegalovirus Protein pp65 That Are Conserved Between Eight Strains of the Virus," J. Immunol., 163:5512-5518, 1999.	
	1Y	SPAETE et al., "Human Cytomegalovirus Strain Towne Glycoprotein B is Processed by Proteolytic Cleavage," Virology 167:207-225, 1988.	
	1Z	VERTHELYI et al., "Human Peripheral Blood Cells Differentially Recognize and Respond to Two Distinct CpG Motifs," J. Immunol., 166:2372-2377, 2001.	
Examiner Signature		Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code. <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached. AB indicates that only an English language abstract is attached.